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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Wilkins

Serial No.: 09/560,665

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Title: NETWORK-BASED CHILD
SUPPORT FRAMEWORK


Docket No: 60021-359701

Group Art Unit: 3629

Examiner: John G. Weiss

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Janet Byrne

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APPELLANT'S REPLY BRIEF TO EXAMINER'S ANSWER

Dear Sir:

In response to the Examiner's Answer mailed on March 7, 2005.

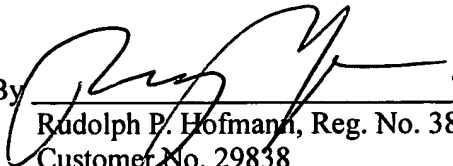
- A. With respect to the formal matters of the Appeal, Appellant wishes to note the following:
- With respect to the groupings of the claims, Appellant asserts that the pending claims stand or fall together for the purposes of this Appeal only. Additionally, this Reply Brief is directed only to the points made in the particular paragraphs of the Examiner's Answer. Appellant does not waive any argument made in the Appeal Brief or waive the right to make any additional arguments at a later time.

- B. With respect to paragraphs 5, 6, and 10, the Answer sets forth that the financial support payment is based upon two factors, i.e., 1) a profile of a user, and 2) an amount paid to date from a non-custodial parent to a custodial parent. The Answer concedes that each of these factors are not shown or suggested in the Polk reference, but argues that the Single Parent Central reference provides sufficient teaching. The Answer is incorrect. The "amount" paid in the Single Parent Central reference deals with only "alimony," as set forth in the Answer, and not with child support payments. This is a distinction with a difference. The "alimony" could be included in the first factor of a user profile, but is not included in the second factor which is related as child support payments. The claims requires that both factors be present, while the Single Parent Central reference teaches at best that only one of the factors are present. Because neither of the references show or suggest the first factor, it must be missing from any proposed combination.
- C. In paragraphs 8-9, the Answer argues that Polk does teach the two factors above, contrary to the Examiner's prior assertion that these features are missing. Appellant respectfully submits that the Answer's strained and incorrect interpretation of the reference and general statement about this issue are not sufficient to overcome the detailed and compelling arguments set forth in the Appeal Brief.
- D. In paragraph 11, the Answer appears to suggest that there is not support for the amendment of the "amount paid" factor, simply because it is apparently not shown in Fig. 16. This is a new issue that has never before been raised in prosecution. Never-the-less, Appellant submits that there is sufficient support in that this factor is discussed throughout the specification and in particular at the description directed to Figs. 10, 13 and 14.
- E. With respect to paragraphs 12-14, the Answer inconsistently applies the features of Polk into both the first and second factors; where these features should be one or the other in order to meet the terms of the claims. The Answer's interpretation of the Polk reference is strained and incorrect, and are not sufficient to overcome the detailed and compelling arguments set forth in the Appeal Brief.

For at least the above reasons, Appellant respectfully traverse the arguments made in the Answer, and submit that the arguments made in the Appeal Brief demonstrate that the appealed claims are patentably distinguishable over the prior art of record.

Should any additional fees be necessary, the Commissioner is hereby authorized to charge or credit any such fees or overpayment to Deposit Account No. 50-1901 (Reference #60021-359701).

Respectfully submitted,

By 
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Claims Subject to Appeal

1. A method for providing a network-based child financial support framework for facilitating communications between employers, custodial parents, and non-custodial parents, comprising the steps of:
 - (a) maintaining a database including information on a received financial support payment utilizing a network;
 - (b) providing general information relating to the financial support payment utilizing the network;
 - (c) calculating a proper amount of the financial support payment based on a profile of a user and based on an amount paid to date from a non-custodial parent to a custodial parent, wherein the profile includes data relating to at least one of income, number of children, basic support, insurance premium, child care cost, and additional expenses, wherein a first portion of the profile is received from the user across the network and a second portion of the profile is received from the database, and wherein the user may change the data in the second portion of the profile; and
 - (d) displaying a history associated with the financial support payment.
2. A method as recited in claim 1, wherein the network includes the Internet.
3. (cancelled)
4. A method as recited in claim 1, wherein the history includes a date, an amount received on the date, an amount retained of the amount received, and a disbursement of the amount received to the custodial parent.
5. A method as recited in claim 1, and further comprising the step of presenting a plurality of frequently asked questions relating to the financial support payment.
6. A computer program embodied on a computer readable medium for providing a network-based child financial support framework for facilitating communications between employers, custodial parents, and non-custodial parents, comprising:

- (a) a code segment that maintains a database including information on a received financial support payment utilizing a network;
 - (b) a code segment that provides general information relating to the financial support payment utilizing the network;
 - (c) a code segment that calculates a proper amount of the financial support payment based on a profile of a user and based on an amount paid to date from a non-custodial parent to a custodial parent, wherein the profile includes data relating to at least one of income, number of children, basic support, insurance premium, child care cost, and additional expenses, wherein a first portion of the profile is received from the user across the network and a second portion of the profile is received from the database, and wherein the user may change the data in the second portion of the profile; and
 - (d) a code segment that displays a history associated with the financial support payment.
7. A computer program as recited in claim 6, wherein the network includes the Internet.
8. (cancelled)
9. A computer program as recited in claim 6, wherein the history includes a date, an amount received on the date, an amount retained of the amount received, and a disbursement of the amount received to the custodial parent.
10. A computer program as recited in claim 6, and further comprising a code segment that presents a plurality of frequently asked questions relating to the financial support payment.
11. A system for providing a network-based child financial support framework for facilitating communications between employers, custodial parents, and non-custodial parents, comprising:
- (a) logic that maintains a database including information on a received financial support payment utilizing a network;
 - (b) logic that provides general information relating to the financial support payment utilizing the network;

- (c) logic that calculates a proper amount of the financial support payment based on a profile of a user and based on an amount paid to date from a non-custodial parent to a custodial parent, wherein the profile includes data relating to at least one of income, number of children, basic support, insurance premium, child care cost, and additional expenses, wherein a first portion of the profile is received from the user across the network and a second portion of the profile is received from the database, and wherein the user may change the data in the second portion of the profile; and
 - (d) logic that displays a history associated with the financial support payment.
12. A system as recited in claim 11, wherein the network includes the Internet.
13. (cancelled)
14. A system as recited in claim 11, wherein the history includes a date, an amount received on the date, an amount retained of the amount received, and a disbursement of the amount received to the custodial parent.
15. A system as recited in claim 11, and further comprising logic that presents a plurality of frequently asked questions relating to the financial support payment.